



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

*86 Chambers Street  
New York, NY 10007*

September 10, 2021

**By ECF**

Honorable Paul G. Gardephe  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, New York 10007

**MEMO ENDORSED**

**The Application is granted.**

**SO ORDERED:**

*Paul G. Gardephe*  
Paul G. Gardephe, U.S.D.J.

**Dated:** September 13, 2021

Re: *Malloy v. U.S. Department of State, et al.*, No. 19 Civ. 6533 (PGG)(KNF)  
*Malloy v. Pompeo*, No. 18 Civ. 4756 (PGG)(KNF)

Dear Judge Gardephe:

This Office represents Defendants in the above-referenced matters. I write to respectfully request that the Court enter an order permitting the sealed filing of the Government's September 10, 2021, reply letter in further support of its request for a conference in connection with the Government's anticipated motion for review of Magistrate Judge Fox's denial of the Government's motion for a protective order against the taking of Harry Ting's deposition. Consistent with Section II.B. of this Court's Individual Rules, these documents will be filed under seal on ECF and electronically related to this letter motion.

As previously noted, on May 12, 2021, Magistrate Judge Fox granted the Government's request that any information or documentation reflecting Mr. Ting's health conditions be designated "Attorney's Eyes Only" and not shared or discussed with Plaintiff Jane Malloy or any individuals other than Plaintiff's current counsel from the firm Selendy & Gay PLLC. The Government's letter motion contains information regarding Mr. Ting's health.

Accordingly, the Government respectfully requests that the Court enter order permitting the sealed filing of the September 10 letter. Per Judge Fox's order, the Government further requests that the Viewing Level of the filing be restricted to only the designated parties referred to above, *i.e.* counsel for Defendants, and Plaintiff's current counsel from the firm Selendy & Gay PLLC.

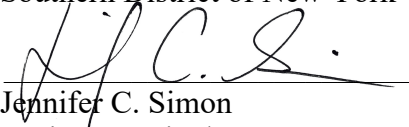
Thank you for your consideration of this matter.

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Respectfully,

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